

#9
K Cooper
7/31/03

PTO/SB/30 (01-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

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Request
For
Continued Examination (RCE)
TransmittalAddress to:
Commissioner for Patents
Box RCE
Washington, DC 20231

| | |
|------------------------|----------------------|
| Application Number | 09/877,774 |
| Filing Date | June 8, 2001 |
| First Named Inventor | Javier A. Valenzuela |
| Art Unit | 3743 |
| Examiner Name | Ijilijana V. Ciric |
| Attorney Docket Number | 07389-00007 |

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 CFR 1.114

a. ☐ Previously submittedi. ☐ Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).ii. ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on _____iii. ☐ Other _____b. ☒ Enclosedi. ☒ Amendment/Replyii. ☐ Affidavit(s)/Declaration(s)iii. ☐ Information Disclosure Statement (IDS)iv. ☐ Other _____

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GROUP 3700

2. Miscellaneous

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)b. ☐ Other _____

3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 04-1588i. ☒ RCE fee required under 37 CFR 1.17(e)ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)iii. ☐ Other _____b. ☐ Check in the amount of \$ _____ enclosedc. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

| | | | |
|-------------------|----------------------------|-----------------------------------|-----------|
| Name (Print/Type) | Morgan S. Heller II | Registration No. (Attorney/Agent) | 44,756 |
| Signature | <i>Morgan S. Heller II</i> | Date | 7/28/2003 |

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

| | | | |
|-------------------|----------------------------|------|-----------|
| Name (Print/Type) | Morgan S. Heller II | Date | 7/28/2003 |
| Signature | <i>Morgan S. Heller II</i> | | |

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This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Box RCE, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Javier A. Valenzuela

Serial No.: 09/877,774

Filed: June 8, 2001

Title: Normal-Flow Heat Exchanger

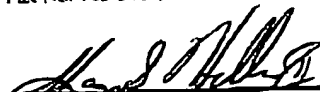
Group Art Unit: 3743

Examiner: Ljiljana V. Ciric

Attorney Docket No.: 07389-00007

☒ CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office. Fax No. 703-305-3463, on the date shown below.


Morgan S. Heller II7/28/03
Date

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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July 28, 2003

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GROUP 3700

REQUEST FOR CONTINUED EXAMINATION (RCE)
(37 C.F.R. 1.114)

Applicants hereby request continued examination, in accordance with 37 C.F.R. § 1.114, for the above identified application.

This request is being submitted:

- ☒ Prior to abandonment of the application
- ☐ Payment of the issue fee
 - ☐ Prior to payment of issue fee
 - ☐ Issue fee has been paid but a petition under § 1.313 has been granted
- ☐ Prior to a decision on appeal to the Board of Patent Appeals & Interferences
- ☐ A notice is being separately sent to the Board of Patent Appeals & Interferences that this Request for Continued Examination is being filed.

P279-12/01

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Law Offices of
Downs Rachlin Martin PLLC
199 Main Street
P.O. Box 190
Burlington, VT 05402-0190
(802) 863-2375

- ☐ Appeal to the U.S. Court of Appeals of the Federal Circuit under 35 U.S.C. 145 or
- ☐ Commencement of a civil action under 35 U.S.C. 146:
- ☐ Prior to the filing of such appeal or commencement of civil action
- ☐ Such appeal or commencement of civil action has been terminated

Enclosed herewith is/are:

- ☐ An information disclosure (37 C.F.S. § 1.98)
- ☐ Form PTO-1449 (PTO/SB/08A and 08B)
- ☒ An amendment
- ☐ New arguments
- ☐ New evidence in support of patentability
- ☐ Other: Additional Remarks for Response to Final Office Action

This application is on behalf of:

- ☒ Small entity (and status is still as small entity) \$375.00
- ☐ Other than a small entity \$0.00

Continued Prosecution Request Fee: \$375.00